

# CITY OF SAN BRUNO



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## STAFF

Aaron Aknin, *Interim Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Tony Rozzi, *Assistant Planner*  
Lisa Costa-Sanders, *Contract Planner*  
Cathy Hidalgo, *Recording Secretary*  
Pamela Thompson, *City Attorney*

## PLANNING

### COMMISSIONERS

Sujendra Mishra, *Chair*  
Rick Biasotti, *Vice-Chair*  
Commissioners:  
Mary Lou Johnson  
Bob Marshall Jr.  
Perry Petersen  
Kevin Chase  
Joe Sammut

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION MINUTES

**JANUARY 16, 2007**

San Bruno Senior Center  
1555 Crystal Springs Blvd.  
7:00 P.M. to 10:00 P.M.

**CALL TO ORDER at 7:00 pm.**

### **ROLL CALL**

	<u>Present</u>	<u>Absent</u>
Chair Mishra	X	
Vice Chair Biasotti	X	
Commissioner Chase	X	
Commissioner Johnson		X
Commissioner Marshall		X
Commissioner Petersen	X	
Commissioner Sammut	X	

### **STAFF PRESENT:**

Planning Division: Interim Community Development Director: Aaron Aknin  
Assistant Planner: Tony Rozzi  
Contract Planner: Lisa Costa Sanders  
Community Dev. Recording Secretary: Cathy Hidalgo  
City Attorney: Gabrielle Whelan, McDonough Holland & Allen  
Code Enforcement: Umesh Maharaj  
Police Department: Noreen Hanlon  
Howard Hoyer  
Fire Department: Dan Voyeyer  
George Devendorf

Pledge of Allegiance: Vice Chair Biasotti

### **A. Approval of Minutes – December 19, 2006**

**Motion to Approve Minutes of December 19, 2006 Planning Commission meeting**

**Petersen/Chase**

VOTE: 5-0  
AYES: All Commissioners Present

NOES: None  
ABSTAIN: None

**B. Communication**

**City Attorney unavailable tonight, in place is Gabrielle Whelan.**

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

**C. Public Comment**

None at this time.

**D. Announcement of Conflict of Interest**

None

**E. Public Hearings**

**1. 224 Santa Lucia Avenue**

**Request for a Use Permit to allow the construction of a second residential unit which increases the gross floor area by 146% and proposes a .63 floor area ratio per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Angel Lim (Applicant), Ka and Gloria Kwok (Owner). UP-06-032**

*Assistant Planner Rozzi* entered staff report. Not noted, did have comment from the public, property to the rear, questioning proposed height, once answered were happy with the proposal.

Staff recommends that the Planning Commission approve Use Permit 06-32 based on Findings of Fact 1-6 and subject to Conditions of Approval 1-15.

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Petersen:* Questioned the garage floor area exceeds – is that typical of R2 structures in this area?

*Assistant Planner Rozzi:* Responded that typically, it refers to a single dwelling, .65 is fairly normal for 2<sup>nd</sup> residences on the property.

*Chair Mishra* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Angel Lim, engineer of the project and has complied with the ordinances and the floor ratios. Requests approval from Planning Commission to move forward.

*Commissioner Petersen:* Did you read the conditions of approval?

*Applicant:* Replied, whatever is required we will comply.

*Commissioner Petersen:* The floor ratio exceeds the ordinance, correct?

*Applicant:* Replied that it has been discussed with planner and it conforms.

*Interim Community Development Director Aknir:* Commented that they initially came in with larger and reduced to smaller. Staff is recommending approval.

*Chair Mishra:* Questions for applicant?

Public Comment opened.

Public Comment closed.

*Chair Mishra* opened up to Commission for discussion.

*Vice Chair Biastotti – Condition #6*

Aknin: this residence shall be used as a single family dwelling on this property.

**Motion to approve Use Permit 06-032 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-19).**

**Commissioner Sammut/Biasotti**

VOTE: 5-0

AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	None

**FINDINGS OF FACT**

1. The proposed new residential unit will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed new residential unit will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed new residential unit will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed new residential unit, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been well designed with appropriate articulation.

6. The proposed new residential unit complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

### **CONDITIONS OF APPROVAL**

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-032 shall not be valid for any purpose. Use Permit 06-032 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on January 16, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

**Department of Public Works – (650) 616-7065**

8. No fence, retaining wall, or other permanent structure to be placed within 2'-0" from back of sidewalk. S.B.M.C. 8.08.010
9. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010
10. Install a sanitary sewer lateral clean out at property line per City standards details SS-01.
11. Replace all broken or raised concrete in driveway approach on Masson Avenue as marked. S.B.M.C. 8.12.010. Marking shall take place under Building Review.
12. Erosion control plan and storm water pollution plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform with the current NPDES requirements. S.B.M.C. 12.16.020
13. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1. Fifty percent permitted to drain to landscape allowed.
14. Removal of un-permitted undersidewalk curb drain. Replace with City standards undersidewalk curb drain, detail SI-03
15. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in the right-of-way. S.B.M.C. 8.24.140/150/180.
16. Planting of one 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

**Fire Department – (650) 616-7096**

17. Provide a unique address number. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
18. Provide NFPA13D fire sprinkler system with coverage in garage and attic.
19. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.
- 20.

**Chair Mishra advised of a 10-day appeal period.**

## 2. 1041 San Mateo Avenue

Commissioner Sammut recused due to business relation with the applicant.

**Request for a Parking Exception to allow an auto repair facility while not providing the required parking spaces per the San Bruno Zoning Ordinance Section 12.100.120. Hani Yaser (Owner/ Applicant). PE-06-008**

*Interim Community Development Director Aknin* entered staff report.

Staff recommends that the Planning Commission deny Parking Exception 06-008 based on the Findings for Denial (1-2).

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Petersen:* Commented that he visited site, fair to say parking is difficult. On page 7, on public comments, was person identified.

*Interim Community Development Director Aknin:* He did identify, don't recall. He has called in the past regarding parking. Wants the applicant to know it has to do with businesses in the area, not just theirs.

*Commissioner Petersen:* It seems to be hearsay.

*Interim Community Development Director Aknin:* Hoping he would come to speak tonight. There are probably others to speak on behalf of it.

*Commissioner Petersen:* Stated he would object to the hearsay.

*Chair Mishra* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Hanni Yaser, lives in San Bruno, 11 years. Express Auto at 701 San Mateo Ave. Thanked Aaron and Tony for their hard work and presentation. 2 months back, received letter to vacate current location. 1041 is an ideal location that will accommodate business. Understands what staff is presenting. Aware of the situation, been in this city for a long time. Has had parking issues. Would like to stay in San Bruno. He is trying to purchase the property. Would like to ask all of commissioners for consideration. His business is different, people leave their car and leave. This space has enough room inside for cars to be serviced, along with 4 parking outside. Aware of ordinance, 1 parking per 250 sq ft. Example, 4000 square foot office space, average needs 16 parking outside and the employees, boss, manager, all have to park outside. In our business the cars come inside and the customer leaves. Has enough parking. Small business about 15 cars per day. May have up to 5 leave by noon, 1 to 2 may stay overnight, waiting on parts. For the most part all cars are leaving the premises. My business and the project request, it will accommodate the way I run my business. The proposal, will give 7 parking, doesn't change much, the cars will remain inside the building. If staff wants us to cut the parking back, then we may have to work on them outside. If outside it will eliminate all the issues that the fire, police have, because parking would be inside. The most we have had is 15 cars through out the day. We would be facing outside the building as exiting onto San Mateo Avenue, instead of backing out. The cars would be the occupants of the building.

*Chair Mishra:* Questions for applicant?

*Commissioner Petersen:* When did you first see the Exhibit E.

Applicant: Three days ago.

*Commissioner Petersen:* Commented, its hard to spend a lot of time considering something if you've just seen it.

Applicant: Knows the staff believes this exhibit will work.

*Commissioner Petersen:* The documentation that staff provided is expressing how your application doesn't meet the city's requirements.

Applicant: It is unfair to quote the square footage of an auto repair than an office building. Occupancy would be higher for an office building. Where as an auto repair cars are in and out and won't impact the parking. It may minimize the impact of parking.

Public Comment opened.

Speaker #1: Kim Kasner, Sky Park. There 20 years, traffic is horrendous. Double parking, trucks parking, lunch time crowd and it is very dangerous for our customers to leave the property. Feels that the parking is dangerous, cars parked tandem, moving cars in all directions. Wants to emphasize how awful it is.

*Commissioner Petersen:* Questioned speaker, in favor or not in favor.

Speaker: Not in favor.

Speaker #2: Alan, 1419 San Mateo Avenue. In business 11 years. Parking is awful. Has to back cars up. Believes another repair shop will escalate it situation. Made an attempt to purchase this property. Invested \$6000 and city recommended letting go, he did.

*Commissioner Petersen:* Questioned in favor or against.

Speaker #2: Replied against.

Public Comment closed.

*Chair Mishra* opened up to Commission for discussion.

*Vice Chair Biasotti:* Asked staff to discuss future use.

*Interim Community Development Director Akin:* Explained that if auto, similar to current use. From everyday standpoint, it would set a precedent, it would encourage other warehouses to change the use.

*Commissioner Chase:* Commented that he did take a site tour. More congested now than years back. Fear here is based on what staff has provided which includes police and fire comments and the probability of injury due to fire. Parking and double parking is terrible. Unfortunate to applicant, does not see as promising.

*Commissioner Petersen:* Planning commission sees many auto use applications from rental, detailers, etc. and we have been provided with a rich history. Has experience and is familiar with traffic congestion on these streets. One of the reasons this is important not just for safety, but to benefit the existing benefits. I am in support of staff.

### **Motion to deny Parking Exception 06-008 based on the Findings for Denial (1-2).**

**Commissioner Petersen/Chase**

VOTE:	4-0
AYES:	All Commissioners Present
NOES:	None

ABSTAIN: None

## FINDINGS FOR DENIAL

1. The existing three (3) spaces on-site represent only 43% of the seven (7) spaces currently required by code. If the new automobile repair use occupied the building as proposed, the applicant would only be providing four (4) spaces or 31% of the required 13 parking spaces. Staff has visited the site on several occasions and the parking situation reflects the shortage. Often there are no available spaces to park and as discussed in the staff report, double parking and blocked sidewalks are very common. Therefore, the finding cannot be made that the applicant is nearly in compliance with the code and the application must be denied. Furthermore, approving a new automobile repair facility would negatively impact the surrounding area by increasing parking demand on a property with a deficient amount of parking on-site.
2. The denial of this application would not put an undue hardship on the owner as the building can still function with viable uses other than an automobile repair facility. Regarding the applicant's request for a parking exception, the denial does not preclude the applicant from operating an automobile repair facility since alterations to the site can be made to bring it into parking requirement compliance.

Chair Mishra advised of a 10-day appeal period.

### 3. 1282 El Camino Real

**Request for a Use Permit to allow on-site alcohol consumption per Sections 12.84.210 and 12.112 of the San Bruno Zoning Ordinance. Steve McLaren/ Beverages and More (Applicant); The Vincent Muzzi (Owner) UP-06-041**

*Contract Planner Costa Sanders* entered staff report.

Staff recommends that the Planning Commission approve Conditional Use Permit 06-41 based on Findings of Fact (1-6) and Conditions of Approval (1-16).

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Petersen:* Does this trigger the same ordinance that covers bars.

*Contract Planner Costa-Sanders:* Replied yes.

*Commissioner Petersen:* Asked if applicant was provided with the paperwork?

*Contract Planner Costa-Sanders:* Replied yes.

*Commissioner Petersen:* Questioned is that sited as a condition?

*Contract Planner Costa-Sanders:* yes, condition 13. We can add the title of the ordinance.



*Commissioner Petersen:* Yes, wants them to be aware.

*Chair Mishra* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Doug Cervantes, district Manager. Stressed that the tasting bar is for educational purposes only. It is not set up for people to lounge.

*Commissioner Chase:* is this standard practice for BevMo?

*Applicant:* Yes, all stores have.

*Commissioner Sammut:* Glad you're coming.

*Vice Chair Biasotti:* Are you selling beer, wine and hard liquor?

*Applicant:* Responded just beer and wine.

*Commissioner Chase:* Have you experienced in the past any abuse, intoxication?

*Applicant:* Responded in 10 years, no. We educate the people doing the pouring to the limits. 1 for each item, usually introduce 4 to 5 wines at a tasting.

*Chair Mishra:* Questioned about upgrades to the site.

*Applicant:* Responded just interior, signage.

*Chair Mishra:* Will you paint?

*Applicant:* Responded, not sure.

*Chair Mishra:* Will you install new signs?

*Interim Community Development Director Aknir:* Commented that they will follow the sign ordinance.

*Commissioner Petersen:* Will there be employee training?

*Applicant:* Responded yes.

*Commissioner Petersen:* Asked if they will be aware of the ordinances?

*Applicant:* Responded yes, they will insure it is part of their training.

*Commissioner Petersen:* Happy to see business moving in.

*Commissioner Chase:* When do you anticipate opening?

*Applicant:* Responded the first week of June.

*Chair Mishra:* Questions for applicant?

Public Comment opened.

Public Comment closed.

*Chair Mishra* opened up to Commission for discussion.

**Motion to approve Conditional Use Permit 06-41 based on Findings of Fact (1-6) and Conditions of Approval (1-16) with title added to Condition 13.**

**Commissioner Sammut/Chase**

VOTE: 5-0

AYES: All Commissioners Present  
NOES: None  
ABSTAIN: None

## **FINDINGS OF FACT**

### **FINDINGS OF FACT**

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Interior alteration to an existing facility.
2. The activity or use does not jeopardize, endanger or result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area.
3. The activity or use does not result in repeated nuisance activities or police interventions within the premises or in close proximity of the premises, including but not limited to criminal activities, disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.
4. The activity or use does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute.
5. The upkeep and operating characteristics of the activity or use are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.
6. The applicant for a liquor license receives a Letter of Public Convenience or Necessity issued by the City of San Bruno for an application which would tend to create a law enforcement problem, or if issuance would result in or add to an "Undue Concentration" of licenses, required due to either of the following conditions:
7. The applicant premises are located in a crime reporting district that has a 20% greater number of reported crimes in a geographical area within the boundaries of the city than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the San Bruno Police Department that are identified by the department in the compilation and maintenance of statistical information on reported crimes and arrests.
8. The applicant premises are located in an area of Undue Concentration, which is defined to exist when an original application or premises-to-premises application is made for a retail on-sale license in a census tract where the ratio of existing on-sale retail licenses to population in the census tract exceeds or will exceed the ratio of retail on-sale licenses to population in San Mateo County.

#### CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 06-41 shall not be valid for any purpose. Use Permit 06-41 shall expire one (1) year from the date of approval unless the plan is executed.
2. The retail store use shall be conducted according to the plans accompanying this report and approved by the Planning Commission, except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.
3. The applicant and any successor in interest, shall agree to operate retail store at 1282 El Camino Real in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
5. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front, sides and rear of the building.
6. Any changes from the hours of operation shall require prior authorization of the Community Development Director.
7. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior.
8. Address numbers for the business are to be on a contrasting background, easily visible from the street. The address numbers also must be visible at night. Address numbers must be affixed on or near any exterior door.
9. Adequate lighting of grounds contiguous to the building shall be provided with enough lighting of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe secure environment for a all persons and property on site.
10. The applicant shall install a robbery and burglary alarm system and the system will be monitored an off site alarm company.

11. The applicant is responsible to submit emergency contact information to the police department for after hour's emergency contact.
12. The applicant shall comply with all Alcohol and Beverage Control requirements.
13. Applicant shall comply with all aspects of San Bruno Municipal Code 12.84.210.
14. The Community Development Director may call this back to the Planning Commission if he/she finds that the business is not complying with the required performance standards or conditions of approval.
15. Any alteration to the exterior elevations of the property shall first require Architectural Review Committee approval.
16. The applicant shall replace the missing gate at the exterior trash enclosure.

**Chair Mishra advised of a 10-day appeal period.**

**4. 401 San Mateo Avenue**

**Request for a Use Permit to operate an auto repair service in conjunction with the operation of an existing service station for a period of five years per Section 12.96.110.C.10 of the San Bruno Zoning Ordinance. Stephen Ng (Owner/ Applicant). UP-06-022**

*Contract Planner Costa-Sanders* entered staff report.

Staff recommends that the Planning Commission approve Use Permit 06-022 based on Findings of Fact (1-3) and Conditions of Approval (1-17). Amended with 2 additional conditions. Revised report presented to commission. All autos associated with business shall be parked on site.

*Chair Mishra* asked Commission if there were any questions for staff.

*Interim Community Development Director Akinin:* Would like to add, this has been continued several times, and would like to thank applicant for working with staff.

*Commissioner Petersen:* In report, mentioned that all vehicles there for repair be parked on site.

*Contract Planner Costa-Sanders:* adding, it is not on report

*Chair Mishra* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Stephen Ng, property and business owner. This has been a long process, working on this, and I have accepted all conditions on the report for approval so that business can move on.

*Chair Mishra:* Questions for applicant?

*Commissioner Chase:* Questioned since you own and operate, allowing the use of auto repair is great, wouldn't it be a big investment if the license is revoked 5 years from now.

*Applicant:* Replied, the investment is about \$60k to upgrade, for signage and landscape/ A majority of expenses I can get from Exxon. 5 years the City should be able to advise what the general plan is for that corner.

*Commission Chase:* Question the procedure for contamination, for future use?

*Interim Community Development Director Akin:* Replied, the object is for that the 5 years is for planning, it could happen in 3 years. Staff feels it is enough time for everything to be set. There are lots of variables for gas stations, and this gives him time to plan for his future.

*Commissioner Petersen:* With your business at the entrance that is essentially being renewed and will look newer with landscaping. At the same time, it generates more trash from your customers. Since site is flat, do you have any idea to reduce the trash impact on the local neighborhood?

*Applicant:* this is auto repair, if a convenience store, more problems. Has Am/Pm that has problems with trash, but keeps property clean and cleans lot every few hours. Can't stop people from throwing trash, but can provide receptacles for them.

Public Comment opened.

Public Comment closed.

*Chair Mishra* opened up to Commission for discussion.

*Vice Chair Biasotti:* To Staff, is parking sufficient?

*Interim Community Development Director Akin:* Replies it is adequate and sufficient and exceeds the city requirements.

**Motion to approve Use Permit 06-022 based on Findings of Fact (1-3) and Conditions of Approval (1-17).**

**Commissioner Biasotti/Chase/**

VOTE:	5-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	None

**FINDINGS OF FACT**

1. The proposed development will under the circumstances of the particular case, including the limited duration of the use, will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.
3. The proposed development will be consistent with the general plan.

**CONDITIONS OF APPROVAL**

**Community Development Department (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 06-22 shall not be valid for any purpose. Use Permit 06-22 shall expire one (1) year from the date of approval unless the plan is executed.
2. The property owner shall enter into an Interim Land Use Agreement limiting the automotive repair use at this site for a period of five years from the effective date of this Use Permit. The Agreement shall be recorded against the land and shall bind successors and assigns.
3. The auto repair use shall be conducted according to the plans accompanying this report and approved by the Planning Commission, except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.
4. The applicant and any successor in interest, shall agree to operate the auto repair business at 401 San Mateo Avenue for a limited period of five years in the manner as described in the staff report and in the applicant's support statement. Specifically, auto repair shall be limited to; brake service, replacement of fan belts, tune-up, oil change, and tire change. No major engine jobs such as engine replacement or overhaul may be conducted on-site. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
6. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior and shall enter into an agreement with the City regarding graffiti removal. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front, sides and rear of the building.
7. No outside storage of automotive parts shall be permitted.
8. The sound level shall conform to the requirements of the City's Noise Regulations Chapter 6.16 of the Municipal Code.
9. The applicant shall utilize the roll-up doors at the rear of the building for access to the service bays. The front roll-up doors shall remain closed to the maximum extent feasible. All auto repair shall be contained within the existing building and not extend to the sidewalk or parking lot areas.
10. No additional signage shall be installed without City Planning Department approval.
11. A revised and detailed landscape plan shall be submitted to the Planning Department for review and approval incorporating the following;

- A. Additional landscaping shall be provided in the triangular shaped planter located in the front of the property and in the rear planter area adjacent to the parking spaces.
  - B. A maintenance landscape agreement shall be signed and recorded to the satisfaction of the City Attorney.
  - C. Landscape curbing shall be repaired or replaced to the satisfaction of the Community Development Director.
12. Hours of operation for automotive repair shall be limited to Monday through Saturday, 8:30 a.m. until 6:00 p.m. Any changes from the hours of operation shall require prior authorization of the Community Development Director.
13. The applicant shall submit an Architectural Review Permit application within six months for the new signage and façade improvements.
14. The auto repair component of the service station must cease operations five years from the date of the approval of this conditional use permit.
15. In accordance with SBMC section 12.128.020 the City may revoke this permit before its expiration of any of the conditions of approval are violated or any other law is violated.

**Public Works Department (650) 616-7065**

16. Replace all broken or raised concrete in driveway approach on San Mateo Avenue. San Bruno Municipal Code section 8.12.010. Encroachment permit shall be obtained from the Public Works Department prior to commencement of work.
17. Clear plugged storm drain system: 2 area drains and through the curb drain(s) to the satisfaction of the Public Works Director.
18. Demonstrate dry spill cleanup procedures and equipment to public works inspector.

**Fire Department (650)-616-7096**

19. Obtain Fire Code Permit for repair garages from the Fire Department.

**Chair Mishra advised of a 10-day appeal period.**

**F. Discussion**

- 1. City Staff Discussion
  - a. Select February 15, 2007 Architectural Review Committee Members – Biasotti,
  - b. Akin, on 1041, Thanks Tony for all his hard work. Thanks all departments for their work and their attendance and time for being here tonight.
- 2. Planning Commission Discussion

Appoint New Planning Commission Chair and Vice Chair

Akin: Thanks Chair Mishra for his year of service. Historically the vice chair becomes chair, and the commissioner who hasn't served the longest becomes the Vice Chair. Marshall will serve as vice chair. Nominations-

Sammut nominate Biasotti for Chair, Chase seconds. Motion Passed.

Chase nominate Marshall as Vice Chair, Biasotti, seconds. Motion passed.

Mishra: Requested update on general plan

Aknin: there has been a number of staff turn over that has furthered the review. Passing on to City Manager. General plan hasn't been done since 1984, when started in 2002, there was a lot of CIP and other buildings going on that furthered the delay. Current time line, a couple of months for department heads and city manager to review. Hope to have done by end of fiscal year. Have one more shot for recommendations before bringing to the commission.

Residential guidelines. Preparing an RFP, being done in the next month or so. Usually a 4 week turnaround and the city council chooses the consultants. The process hasn't been decided but think an ADHOC Committee will be formed.

Mishra: On Agenda Item E2-Parking, there is a fire hydrant that doesn't have a red curb, 20-40 feet north.

Aknin: will pass on the engineer.

Sammut: back when started, had 12 meetings a year, once a month. 3 meetings per year allowed to be missed. Now we do 20 meetings or more a year. Just curious, would like attendance for 2006. Also, for the ARC meetings, impression that some do more than others.

Aknin: will get the info to the Commissioners

## G. Adjournment

Meeting was adjourned at 8:20 pm

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**Aaron Aknin**  
Secretary to the Planning Commission  
City of San Bruno

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**Sujendra Mishra, Chair**  
Planning Commission  
City of San Bruno

**NEXT MEETING: February 20, 2007**

TH/ch